THE HON'BLE SMT. JUSTICE T. MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE P. LAKSHMANA REDDY

W.A.No. 1457 of 2005

Dt:23.08.2005

Between:

Shaik Khaja Rahamthullah Shan

.. Petitioner

and

The Chairman & Managing Director and others

.. Respondents

THE HON'BLE SMT. JUSTICE T. MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE P. LAKSHMANA REDDY

W.A.No. 1457 of 2005

JUDGMENT:(per the Hon'ble Smt. Justice T. Meena Kumari)

This writ appeal has been filed, assailing the order, dated 22.06.2005, in W.P.No.13232 of 2005 passed by the learned Single Judge.

The case of the appellant is that as his father expired during the course of his employment, he is entitled for appointment on compassionate grounds. The

respondents issued the proceedings, dated 16.03.1999, rejecting his case on the ground that the appellant could not be provided with any appointment, since he was aged 8 years 11 months at the time of death of his father. The grievance of the appellant is that though the fourth respondent, by proceedings, dated 16.12.1999, recommended his case for re-consideration, the same has not yet been attended to. Therefore, the appellant filed the writ petition.

The learned Single Judge, through the Order under appeal, dismissed the writ petition as devoid of merits. Aggrieved by the said Order, the appellant preferred the present writ appeal.

The learned counsel for the appellant submits that the fourth respondent issued proceedings, dated 16.12.1999, requesting the third respondent to consider the case of the appellant, however, the same was not considered as yet.

The learned standing counsel for the respondents, on the other hand, seeks to sustain the Order under appeal.

A perusal of the material available on record discloses that admittedly the case of the appellant for appointment on compassionate grounds was rejected on 16.03.1999 and he had come up with the writ petition after lapse of six years. Further, as rightly observed by the learned Single Judge, the appellant was a minor aged about 8 years at the time of death of his father and hence he is not entitled for appointment on compassionate grounds, as per the Regulations. In our opinion, the appellant ought to have taken steps immediately after the respondents rejected his case. Hence, the order under appeal deserves no consideration in the hands of this Court.

The writ appeal is accordingly dismissed at the threshold.

(T. Meena Kumari.J)

(P. Lakshmana Reddy.J)

ksld/kdl

Dt.23.08.2005